phosphatidylethanolamine, sphingolipids, cerebrosides, gangliosides; phosphatidylcholine, dipalmitoylphosphatidylcholine, distearoylphosphatidyl-choline, injectable organic ester, ethyl oleate, an alcoholic/aqueous solution, an alcoholic/aqueous emulsion, an alcoholic/aqueous suspension.

REMARKS

Status of the Claims

Before this amendment, no claims have been canceled or added. Thus, before entry of the instant amendment, claims 1 to 67 are pending. In the instant amendment, claims 41 to 44, 45 to 46 and 51 to 52 are canceled, without prejudice, and claims 68 to 136 are added. Thus after entry of the instant amendment, claims 1 to 40, 43, 47 to 50, and 53 to 136 will be pending.

Support for the Claim Amendment

The specification sets forth an extensive description of the invention in the new claims. Support for claims directed to methods for reducing inflammation in a subject in need of such treatment comprising administering to the subject an inflammation-reducing effective amount of a composition comprising the amino acid sequence LKKTET, and conservative variants thereof, having anti-inflammatory activity, is found, *inter alia*, at page 7, lines 2 to 4; page 34, Example 4, lines 7 to 16. Support for claims directed to methods for reducing inflammation, wherein the inflammation is a particular condition or a specific tissue, is found, inter alia, at page 8, line 14 to 24; page 9, lines 5 to 15; page 13, lines 13 to 30; page 15, lines 27 to 30; page 17, lines 5 to 8; page 22, lines 13 to 16. Support for claims directed to methods for reducing inflammation, wherein the composition is administered by a particular route, is found, inter alia, at page 12, lines 9 to 13; page 14, lines 6 to 10 and 19 to 25; page 16, lines 15 to 18. Support for claims directed to methods for reducing inflammation, wherein the composition is formulated in various excipients and compositions, is found, inter alia, at page 14, line 26 to page 17, line 17. Support for claims directed to methods for promoting wound healing in a subject comprising administering a composition comprising the amino acid sequence LKKTET to a subject having a particular condition or having a wound to a specific tissue, is found, inter alia, at

page 8, line 14 to 24; page 9, lines 5 to 15; page 13, lines 13 to 30; page 15, lines 27 to 30; page 17, lines 5 to 8; page 22, lines 13 to 16. Support for claims directed to methods for promoting wound healing, wherein the composition is administered by a particular route, is found, inter alia, at page 12, lines 9 to 13; page 14, lines 6 to 10 and 19 to 25; page 16, lines 15 to 18; page 34, lines 22 to 27. Support for claims directed to methods for promoting wound healing, wherein the composition is formulated in various excipients and compositions, is found, inter alia, at page 14, line 26 to page 17, line 17.

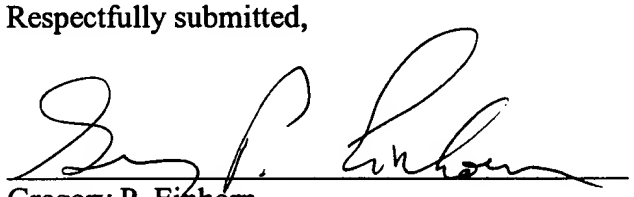
CONCLUSION

In view of the foregoing remarks and the instant amendment, it is believed that the all claims pending in this application (including those after entry of the instant amendment) are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (858) 678-5070.

Respectfully submitted,

Date: Nov. 13, 2002



Gregory P. Einhorn
Reg. No. 38,440

Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

VERSION WITH MARKS SHOWING CHANGES MADE

In The Claims:

Claims 41 to 44, 45 to 46 and 51 to 52 have been cancelled.

Claims 68-136 have been added.

--68. (NEW) A method for reducing inflammation in a subject in need of such treatment comprising administering to the subject an inflammation-reducing effective amount of a composition comprising an amino acid sequence LKKTET, and conservative variants thereof, having anti-inflammatory activity.

69. (NEW) The method of claim 68, wherein the inflammation is present in a tissue selected from the group consisting of a skin tissue, a dermal tissue, an epidermal tissue, an eye tissue, a cornea, a retina, a uro-genital tissue, a gastro-intestinal tissue, a cardiovascular tissue, a muscle tissue, a connective tissue, a neural tissue, a bone tissue, a cartilage tissue, a breast tissue, a central nervous system tissue, a pancreatic tissue, a liver tissue and an endometrial tissue.

70. (NEW) The method of claim 68, wherein the inflammation is present in a skin tissue.

71. (NEW) The method of claim 68, wherein the inflammation is present in a dermal tissue.

72. (NEW) The method of claim 68, wherein the inflammation is present in an epidermal tissue.

73. (NEW) The method of claim 68, wherein the inflammation is present in an eye tissue.

74. (NEW) The method of claim 68, wherein the inflammation is present in a corneal tissue.

75. (NEW) The method of claim 68, wherein the inflammation is present in a retina.

76. (NEW) The method of claim 68, wherein the inflammation is present in a uro-genital tissue.

77. (NEW) The method of claim 68, wherein the inflammation is present in a gastro-intestinal tissue.

78. (NEW) The method of claim 68, wherein the inflammation is present in a cardiovascular tissue.

79. (NEW) The method of claim 68, wherein the inflammation is present in a muscle tissue.

80. (NEW) The method of claim 68, wherein the inflammation is present in a connective tissue.

81. (NEW) The method of claim 68, wherein the inflammation is present in a neural tissue.

82. (NEW) The method of claim 68, wherein the inflammation is present in a bone tissue.

83. (NEW) The method of claim 68, wherein the inflammation is present in a cartilage tissue.

84. (NEW) The method of claim 68, wherein the inflammation is present in a breast tissue.

85. (NEW) The method of claim 68, wherein the inflammation is present in a central nervous system tissue.

86. (NEW) The method of claim 68, wherein the inflammation is present in a pancreatic tissue.

87. (NEW) The method of claim 68, wherein the inflammation is present in a liver tissue.

88. (NEW) The method of claim 68, wherein the inflammation is present in an endometrial tissue.

89. (NEW) The method of claim 68, wherein the inflammation is present in a disease or condition selected from the group consisting of a wound, a skin lesion or skin wound, an arthritis, an osteoporosis, a musculo-skeletal disorder, a burn, an ulcer or an ulceration, a pressure ulcer, a diabetic ulcer, a neurological disease, a neurodegenerative disease, a nerve disease, a bone disease, a heart disease, an eye disease, corneal damage, retinal damage, skin damage, a cardiovascular disease, an ischemia, an atherosclerosis, a fibrotic disorder, a sclerotic disorder, a cancer and a cell proliferative disorder.

90. (NEW) The method of claim 68, wherein the inflammation is present in a wound.

91. (NEW) The method of claim 90, wherein the wound comprises a skin wound.

92. (NEW) The method of claim 68, wherein the inflammation is present in a skin lesion.

93. (NEW) The method of claim 68, wherein the inflammation is present in an arthritis.

94. (NEW) The method of claim 68, wherein the inflammation is present in an osteoporosis.

95. (NEW) The method of claim 68, wherein the inflammation is present in a musculo-skeletal disorder.

96. (NEW) The method of claim 68, wherein the inflammation is present in a burn.

97. (NEW) The method of claim 68, wherein the inflammation is present in an ulcer or an ulceration.

98. (NEW) The method of claim 97, wherein the ulceration comprises a pressure ulcer or a diabetic ulcer.

99. (NEW) The method of claim 68, wherein the inflammation is present in a neurological disease.

100. (NEW) The method of claim 68, wherein the inflammation is present in a neurodegenerative disease

101. (NEW) The method of claim 68, wherein the inflammation is present in a nerve disease.

102. (NEW) The method of claim 68, wherein the inflammation is present in a bone disease.

103. (NEW) The method of claim 68, wherein the inflammation is present in a heart disease.

104. (NEW) The method of claim 68, wherein the inflammation is present in an eye disease.

105. (NEW) The method of claim 68, wherein the inflammation is present in a damaged corneal.

106. (NEW) The method of claim 68, wherein the inflammation is present in a damaged retina.

107. (NEW) The method of claim 68, wherein the inflammation is present in a damaged skin.

108. (NEW) The method of claim 68, wherein the inflammation is present in a cardiovascular disease.

109. (NEW) The method of claim 68, wherein the inflammation is present in an ischemia.

110. (NEW) The method of claim 68, wherein the inflammation is present in an atherosclerosis.

111. (NEW) The method of claim 68, wherein the inflammation is present in a fibrotic disorder.

112. (NEW) The method of claim 68, wherein the inflammation is present in a sclerotic disorder.

113. (NEW) The method of claim 68, wherein the inflammation is present in a cancer.

114. (NEW) The method of claim 68, wherein the inflammation is present in a cell proliferative disorder.

115. (NEW) The method of claim 68, wherein the composition comprising the amino acid sequence LKKTET consists essentially of thymosin β4 or an isoform of thymosin β4.

116. (NEW) The method of claim 68, wherein the composition is administered by a route selected from the group consisting of an injection, a surgery, a catheter, a topical administration, a local injection, an inhalation, a systemic administration, an oral administration an intranasal administration, an aerosol administration, an intravenous administration, an intraperitoneal administration, an intramuscular administration, an intracavity administration and a transdermal administration.

117. (NEW) The method of claim 68, wherein the composition is administered by an injection.

118. (NEW) The method of claim 68, wherein the composition is administered by a surgery.

119. (NEW) The method of claim 68, wherein the composition is administered by a catheter.

120. (NEW) The method of claim 68, wherein the composition is administered by a topical administration.

121. (NEW) The method of claim 68, wherein the composition is administered by a local injection,

122. (NEW) The method of claim 68, wherein the composition is administered by inhalation,

123. (NEW) The method of claim 68, wherein the composition is administered by systemic administration.

124. (NEW) The method of claim 68, wherein the composition is administered by oral administration,

125. (NEW) The method of claim 68, wherein the composition is administered by intranasal administration.

126. (NEW) The method of claim 68, wherein the composition is administered by aerosol administration

127. (NEW) The method of claim 68, wherein the composition is administered by intravenous administration.

128. (NEW) The method of claim 68, wherein the composition is administered by intraperitoneal administration.

129. (NEW) The method of claim 68, wherein the composition is administered by intramuscular administration.

130. (NEW) The method of claim 68, wherein the composition is administered by an intracavity administration.

131. (NEW) The method of claim 68, wherein the composition is administered by transdermal administration.

132. (NEW) The method of claim 68, wherein the composition comprises a formulation comprising an excipient or a composition selected from the group consisting of saline, sterile water, a sodium chloride solution, lactated Ringer's intravenous, Ringer's dextrose, dextrose and sodium chloride, lactated Ringer's intravenous polyalkylene glycol, polyethylene glycol, vegetable oil, hydrogenated naphtalene, lactide polymer, lactide/glycolide copolymer, polyoxethylene-polyoxypropylene, polyoxyethylene-9-lauryl ether, glycocholate and deoxycholate, phosphatidyl, phosphatidylglycerol, phosphatidylcholine, phosphatidylserine, phosphatidylethanolamine, sphingolipids, cerebrosides, gangliosides; phosphatidylcholine, dipalmitoylphosphatidylcholine, distearoylphosphatidyl-choline, injectable organic ester, ethyl oleate, an alcoholic/aqueous solution, an alcoholic/aqueous emulsion, an alcoholic/aqueous suspension.

133. (NEW) The method of claim 1, wherein the wound is in a tissue selected from the group consisting of a skin tissue, a dermal tissue, an epidermal tissue, an eye tissue, a cornea, a retina, a uro-genital tissue, a gastro-intestinal tissue, a cardiovascular tissue, a muscle tissue, a connective tissue, a neural tissue, a bone tissue, a cartilage tissue, a breast tissue, a central nervous system tissue, a pancreatic tissue, a liver tissue, a reticulo-endothelial system (RES) tissue and an endometrial tissue.

134. (NEW) The method of claim 1, wherein the wound is present in a disease or condition selected from the group consisting of an arthritis, an osteoporosis, a musculo-skeletal disorder, a burn, an ulcer or an ulceration, a pressure ulcer, a diabetic ulcer, a skin lesion or disease, a neurological disease, a neurodegenerative disease, a nerve disease, a bone disease, a heart disease, an eye disease, corneal damage, retinal damage, skin damage, a cardiovascular disease, an ischemia, an atherosclerosis, a fibrotic disorder, a sclerotic disorder, a cancer and a cell proliferative disorder.

135. (NEW) The method of claim 1, wherein the composition is administered by a route selected from the group consisting of an injection, a surgery, a catheter, a topical administration, a local injection, an inhalation, a systemic administration, an oral administration, an intranasal administration, an aerosol administration, an intravenous administration, an intraperitoneal administration, an intramuscular administration, an intracavity administration and a transdermal administration.

136. (NEW) The method of claim 1, wherein the composition comprises a formulation comprising an excipient or a composition selected from the group consisting of saline, sterile water, a sodium chloride solution, lactated Ringer's intravenous, Ringer's dextrose, dextrose and sodium chloride, lactated Ringer's intravenous polyalkylene glycol, polyethylene glycol, vegetable oil, hydrogenated naphtalene, lactide polymer, lactide/glycolide copolymer, polyoxethylene-polyoxypropylene, polyoxyethylene-9-lauryl ether, glycocholate and deoxycholate, phosphatidyl, phosphatidylglycerol, phosphatidylcholine, phosphatidylserine, phosphatidylethanolamine, sphingolipids, cerebrosides, gangliosides; phosphatidylcholine, dipalmitoylphosphatidylcholine, distearoylphosphatidyl-choline, injectable organic ester, ethyl oleate, an alcoholic/aqueous solution, an alcoholic/aqueous emulsion, an alcoholic/aqueous suspension.--